

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

MICHAEL WHITE	:	CIVIL ACTION
	:	
v.	:	
	:	
CITY OF PHILADELPHIA, et al.	:	NO. 23-4538

ORDER

AND NOW, this 6th day of May, 2024, for the reasons set forth in the accompanying Memorandum, it is hereby ORDERED that:

(1) The motion of Kelly A. Rycek, Executrix of the Estate of Lawrence Gerrard, to dismiss the complaint as to him under Rule 12(b)(6) of the Federal Rules of Civil Procedure (Doc. # 22) is GRANTED in part and DENIED in part;

(2) White's claim that Gerrard failed to intervene in the withholding of exculpatory evidence is DISMISSED; and

(3) The motion is otherwise DENIED.

BY THE COURT:

/s/ Harvey Bartle III
J.